

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**


WAYNE LEWIS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 3:16CV816-HEH
	)	
J.D. WINFREE, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**MEMORANDUM OPINION  
(Dismissing Action Without Prejudice)**

On October 20, 2016, the Court conditionally docketed Plaintiff's action. Plaintiff requested leave to proceed *in forma pauperis*. By Memorandum Order entered on November 30, 2016, the Court directed Plaintiff to pay an initial partial filing fee of \$21.28 or state under penalty of perjury that he did not have sufficient assets to pay such a fee within eleven (11) days of the date of entry thereof. *See* 28 U.S.C. § 1915(b)(1). Plaintiff has neither paid the initial partial filing fee nor averred that he cannot pay such a fee. Therefore, Plaintiff is not entitled to proceed *in forma pauperis*. Plaintiff's disregard of the Court's directives warrants dismissal of the action. Accordingly, the action will be dismissed without prejudice.

An appropriate Order shall accompany this Memorandum Opinion.

Date: Dec 22, 2016  
Richmond, Virginia

 /s/  
\_\_\_\_\_  
HENRY E. HUDSON  
UNITED STATES DISTRICT JUDGE